IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2858 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RAVINDRALAL SRIVASTAVA

Versus

STATE OF GUJARAT

Appearance:

MR PJ KANABAR for Petitioner

MR PK SHUKLA, ld.AGP for Respondents

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 03/05/2000

ORAL JUDGEMENT

Learned Counsel for the petitioner has submitted that the petitioner is prepared to deposit the amount of tax in respect of the vehicle in question to the extent of Rs.10,000/- (Rupees Ten thousand only) treating the

said vehicle as private vehicle and he has further submitted that the rest of the controversy may be decided by the concerned authorities. He has also submitted that as and when the concerned authorities take the final decision, the petitioner would pay the dues as per the decision of the authorities, subject to his legal right of remedy against such orders. The petitioner will also furnish an undertaking with regard to depositing all the dues as determined by the concerned authorities. The concerned authorities shall take a final decision within a period of three weeks from the date the copy of this order is produced before such authorities. The petitioner shall not transfer or alienate the vehicle in question being TATA SUMO No. PB-10-T-2539 till the controversy is decided by the departmental authorities. The concerned authorities will take into consideration any sort of relevant material which may be placed on record by the petitioner in support of his submissions. Subject to the conditions as aforesaid and on depositing the amount of Rs.10,000/- the Vehicle in question may be released by the department.

With the observations and directions as aforesaid, this Special Civil Application is hereby disposed of. Rule is hereby discharged. No order as to costs. Direct service is permitted.

(M.R. Calla, J.)

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Sreeram.